REMARKS

The Official Action of September 22, 2006, and the prior art cited and relied upon therein have been carefully studied. The claims in the application are now claims 1-17, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

New claims 12-17 have been added. Claims 1-17 remain in the application for consideration.

In response to the Examiner's 35 U.S.C. §112, second paragraph rejection, Applicant has amended claims 1 and 6 to eliminate each of the problems identified by the Examiner. Applicant respectfully submits that this rejection has now been overcome.

Applicant thanks the Examiner for his indication that claims 6, 7 and 9 would be allowable subject to being rewritten in independent form. In response, Applicant has added the features of independent claim 1 to each of claims 6, 7 and 9. In addition, Applicant has added new claims 12-17 which respectively correspond to original claims 2-5, 9 and 10 and depend from allowable claim 7. Accordingly, Applicant respectfully submits that claims 6, 7, 9 and 12-17 are all now allowable.

The Examiner has further rejected claims 1-5, 8 and 10 under 35 U.S.C. §102(b) as being anticipated by Mark '610 and claim 11 under 35 U.S.C. §103(a) as being unpatentable over Mark. Applicant respectfully traverses these rejections for the following reasons.

Now Mark further on discloses a linear guide which according to the discussion of the background of the invention is designed for use in the construction of automated equipment, like a robotic arm (see Mark, column 1, lines 16 through 20). Within such linear guides the slider and track are designed so that the slider mounts and moves along the track without play or backlash. This is achieved by employing a bearing mechanism between the two (see Mark, column 1, lines 27 through 30).

Within the linear guide of Mark this bearing mechanism is realized by a bearing element 42 located within the channel 38 of the slide body 14. This bearing element 42 is defined by a series of individual bearing inserts 44 which are cylindrical in shape and exhibit circular cross-sections (see Mark, column 4, lines 24 through 29).

The Examiner compares the Mark bearing element 42 with the compensation-for-play spring assembly 11 of the claimed invention and compares the rod-like bearing inserts 44 with the elastically deformable spring bushings 15, 22 of the claimed invention.

Applicant respectfully submits that these constructive elements are not comparable to each other. The bearing element 42 of Mark is this part of the linear guide which has the actual bearing function. For this sake the bearing inserts 44 are of low-friction, rigid, massive PTFE material which exhibits good wear properties and extremely high mechanical stability (pressure/velocity level approximately 7500). Further on the bearing inserts 44 are press-fit into the grooves 46 (see Mark, column 4, lines 38 through 43). This means that the bearing inserts 44 are fully supported by the material of the bearing block and this cannot yield in any case.

Applicant further submits that the bearing element 42 of Mark et al. is not provided for a compensation of the tolerances between the slide body 14 and the guide rail 12 but is the actual constructive bearing element which has to be replaced when it is worn. Accordingly, the bearing inserts 44 are not elastically deformable but rigid hard PTFE rods stably captured within the cylindrical grooves 46.

Further, the linear sliding guide according to the invention is designed for inter-adjustable components of office chairs in which an exact guiding of machine components is not the primary aspect. The invention rather deals with the problems of common linear sliding guides as they are produced and used in adjustable chairs as mass products. The according problems are broadly discussed on pages 1 and 2 of the specification.

With regard to these problems the invention teaches a compensation-for-play spring assembly the main part of which are the elastically deformable spring bushings 15, 22. Although the basic kind of supporting these spring bushings within the block 6 is comparable to Mark. this prior art fails to disclose a compensation-for-play spring assembly and elastically deformable spring bushings within such a construction. This is true as the bearing element 42 of Mark does not compensate any play, but is the guide element of the linear guide itself. Moreover the bearing inserts 44 forming the bearing element 42 are not elastically deformable and thus cannot (and shall not for the sake of an exact linear guiding action) compensate any play between the slide body 14 and the guide rail 12.

In conclusion, although the constructions of Mark et al. and the claimed invention may look similar at first glance, the decisive parts of the constructions are different and serve different objects. Thus Mark cannot render the invention known or obvious.

Applicant respectfully submits that the claimed invention patentably defines over Mark on the basis of the structural differences identified above.

The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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